

#5B/RW
OCT 17 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: **Ruben et al.**

Application Serial No.: 09/895,298

Art Unit: 1646

Filed: July 2, 2001

Examiner: O'Hara, E.

For: Protein HPRBF19
(as amended)

Attorney Docket No.: PZ035P1C1

PROVISIONAL ELECTION UNDER 37 C.F.R. § 1.143
WITH TRAVERSE AND AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner For Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated September 12, 2002 (Paper No. 4) wherein a response is due on or before October 15, 2002 (October 12 being a Saturday and October 14 being a federal holiday), Applicants provisionally elect, *with traverse*, Invention Groups XLVIII-XCIV, encompassing newly added claims 25 to 74, drawn to polypeptides of SEQ ID NO:83 and clone ID HPRBF19, for further prosecution. Applicants reserve the right to file one or more divisional applications directed to the non-elected inventions should the restriction requirement be made final. Applicants submit concurrently herewith: (a) a Fee Transmittal sheet (in duplicate), with appropriate fee; (b) Version with Markings Showing Changes Made; and (c) an Information Disclosure Statement with PTO Form SB/08, with a copy of references AA-AS.

Prior to substantive examination, please amend the application as follows.

In the Title:

Please delete the title at page 1, line 1 and replace it with the following new title:

Protein HPRBF19

In the Claims:

Please enter the following new claims 25 to 74:

B1 25. (New) An isolated protein comprising amino acid residues 32 to 190 of SEQ

ID NO:83
10/16/2002 MBLANCO 00000013 083425 09895298

01 FC:1202 468.00 CH
02 FC:1201 336.00 CH